

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM

**FACT SHEET ASSOCIATED WITH  
GENERAL PERMIT FOR THE DISCHARGE OF GRAYWATER OR A MIXTURE OF  
GRAYWATER AND BLACKWATER FROM A LARGE COMMERCIAL PASSENGER  
VESSELS TO COASTAL WATERS**

Waste Discharge License (General Permit): #W008222-5Y-A-N  
Permit Compliance System Tracking:

## **1. Legal framework**

A waste discharge license is required for the direct or indirect discharge of pollutants to waters of the State of Maine.<sup>1</sup> Standards and requirements are specified in statute and rule. Title 38 MRSA 423-D specifically addresses discharges of graywater and mixtures of graywater and blackwater from large commercial passenger vessels<sup>2</sup> (LCPVs), with further clarification in rule Chapter 532, Large Commercial Passenger Vessels.

A single, general permit may be issued to a category of point sources located within the same geographic area whose discharges warrant similar pollution control measures. The Department may issue a general permit if there are a number of point sources operating in a geographic area that:

- Involve the same or substantially similar types of operations;
- Discharge the same types of wastes;
- Require the same effluent limitations or operating conditions;
- Require the same or similar monitoring requirements; and
- In the opinion of the Director, are more appropriately controlled under a general permit than under individual permits.<sup>3</sup>

These criteria are met for the discharges authorized under the proposed general permit.

The text of a general permit must be consistent with the requirements contained in Chapter 529, General Permits for Certain Wastewater Discharges, except that the provision that allows the Department to require a person otherwise authorized under a general permit to apply for an individual permit does not apply.<sup>4</sup> Therefore, a discharge of graywater or a mixture of

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<sup>1</sup> See 38 MRSA 413(1)

<sup>2</sup> See 38 MRSA 423-D.

<sup>3</sup> See 06-096 CMR 529(2)(a)(2).

<sup>4</sup> See PL 2003, ch. 650(8).

graywater and blackwater that does not meet the requirements of this general permit is not authorized, and may not be otherwise approved by the Department.

Chapter 529 requires that the permit conditions in Chapter 532(2)(applicable to all discharges) and Chapter 532 (3)(applicable to certain categories of discharges) be met.<sup>5</sup>

Chapter 522, Application Processing Procedures for Waste Discharge Licenses, provides that a fact sheet is prepared for every draft permit that the Department finds to be the subject of wide-spread public interest or that raises significant issues, and specifies the minimum contents of the fact sheet.<sup>6</sup> This fact is intended to meet the requirements of Chapter 522.

## **2. Brief description of the type of facility or activity subject to the draft permit**

This general permit is intended to authorize the discharge of graywater or a mixture of graywater and blackwater from a large commercial passenger vessel (LCPV) to coastal waters of Maine provided the requirements of the general permit are met. A "large commercial passenger vessel" means a commercial passenger vessel that provides overnight accommodations for 250 or more passengers for hire, determined with reference to the number of lower berths.<sup>7</sup>

## **3. The type and quantity of wastes, fluids, or pollutants which are proposed to be or are being treated, stored, disposed of, injected, emitted, or discharged.**

This general permit only authorizes the discharge of treated graywater or a mixture mixture of graywater and blackwater meeting the requirements of the general permit. The general permit does not provide a numeric limitation on volume of discharge.

## **4. Public participation procedures**

The Department published a notice concerning the availability of the draft permit for review in Public notice of this general permit was made in the Kennebec Journal, Lewiston Sun Journal, Bangor Daily News, Portland Press Herald newspapers on or about November 16, 2005.

- Comment period. The Department will accept public comment on the draft general permit until 5:00 p.m. on December 19, 2005. Comments may be submitted to:

Hetty Richardson  
Maine Department of Environmental Protection  
17 State House Station  
Augusta, ME 04333-0017

- Where to send comments. Comments will be accepted by fax or email during the comment period, provided that they are followed up by a written submission of the comments by mail.

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<sup>5</sup> See 06-096 CMR 532(3)(i).

<sup>6</sup> See 06-096 CMR 5232(6).

<sup>7</sup> 38 MRSA 423-D(1)(E).

- Questions about the permitting process. Questions about the general permitting process may be addressed to Pam Parker ([Pamela.D.Parker@Maine.gov](mailto:Pamela.D.Parker@Maine.gov); 207-287-7905).
- Procedures for requesting a hearing. No public hearing has been scheduled. Persons wishing to request a public hearing may do so in writing during the comment period. The Department will notify anyone commenting if a public hearing is scheduled. Such a hearing would provide interested parties with the opportunity to provide written and/or oral comments for the official record.

## 5. Summary notes about the general permit

The "Parts" below refer to parts of the general permit.

### Part 1. General permit coverage

This part describes the coverage of the general permit, including permit area and term during which it applies, as well as the authority under which the general permit is issued.

### Part 2. Definitions

This part provides additional definitions to those already set out in Chapters 520 and 532 of the Department's rules, and 38 MRSA 423-D (Graywater and blackwater discharges from commercial passenger vessels).

### Part 3. Standards and prohibitions

This part references standards contained in Chapter 532, Large Commercial Passenger Vessels, and certain prohibitions applicable to all wastewater discharges. Consistent with existing statute, it provides that discharges to Class SA waters are prohibited. Class SA waters are the highest classification of estuarine and marine waters.<sup>8</sup> Discharges containing blackwater are also prohibited in a No Discharge Area.<sup>9</sup> Maps of SA waters, which also indicate the locations of proposed No Discharge Areas, are available at:

<http://www.maine.gov/dep/blwq/topic/vessel/SA/index.htm>

As provided in Chapter 529, a discharge is prohibited from causing or contributing to any adverse impact on the receiving water; or entering a receiving water which is not meeting its classification standard for characteristics which may be affected by the discharge. A discharge may not impart color, taste, turbidity, radioactivity, settleable materials, floating substances or other properties that cause the receiving water to be unsuitable for the designated uses ascribed to its classification.

<sup>8</sup> For more information on Class SA waters, see <http://www.maine.gov/dep/blwq/topic/vessel/SA/index.htm>

<sup>9</sup> For more information on No Discharge Areas, see <http://www.maine.gov/dep/blwq/topic/vessel/nda/index.htm>

#### **Part 4. Procedure**

This part references procedural requirements in Chapter 532, Large Commercial Passenger Vessels. These address subjects such as the sewage and graywater discharge record book, sampling and reporting, and required plans.

This part describes requirements related to the Quality Assurance/Quality Control Plan (QA/QCP), the Notice of Intent (NOI) and Notice of Termination (NOT) submissions, and the Vessel Specific Sampling Plan (VSSP). It describes the annual fee, the effective date of coverage, the continuing certification for conformance with standards requirement, and the duty to reapply after expiration of the current general permit.

Note: The "Notice of Intent" is used by an operator or owner to notify the Department that the owner or operator wants to seek coverage under a general permit. The QA/QCP and VSSP are provided for in Chapter 532, Large Commercial Passenger Vessels.

The general permit references a short list of criteria contained in Chapter 532, which apply to a QA/QCP. Chapter 532 did not include any criteria for the content of the VSSP, although this document must be approved by the Department. Therefore, a general list of plan contents has been included. This list was adapted from State of Alaska Rules 18 AAC 69.030, Vessel specific sampling plan.

#### **Part 5. Standard Conditions**

Standard conditions contained in the existing rules are incorporated by reference. A separate document bringing together these conditions in one list is available on the DEP website at: <http://www.maine.gov/dep/blwq/topic/vessel/cruiseship/permit.htm>

#### **Part 6. Special Conditions**

These conditions provide that the minimum level of effluent quality must meet the standards provided in Chapter 532, and that the LCPV must demonstrate test results as provided in Chapter 532. Special conditions also describe reporting of discharges that do not comply with standards.